

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**JENNIFER N. HUEY**

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**Case No.: 2:07cr161-CSC**

**UNOPPOSED MOTION TO CONTINUE TRIAL**

**COMES NOW** the Defendant, Jennifer N. Huey, by and through undersigned counsel, Jennifer A. Hart, and pursuant to 18 U.S.C. §§ 3161(h)(2) and 3161(h)(8)(B)(I), respectfully moves this Court to continue the trial of this action from the present trial date of November 5, 2007, to allow for consideration of pretrial diversion in this matter. In support of this Motion, defendant would show:

1. Ms. Huey has been charged by information in this district with theft of government property in violation of 18 U.S.C. § 641.
2. Ms. Huey has applied for Pretrial Diversion and the Government is currently considering that request. If the Government agrees that diversion is the appropriate disposition of the case, the case will then be presented to the United States Probation Office for its determination of whether or not to accept Ms. Huey into the program.
3. Because prosecution may be deferred/diverted if pretrial diversion is granted, it is in the interest of justice to continue the trial in this matter so as to allow Ms. Huey the opportunity to pursue diversion. 18 U.S.C. §§ 3161(h)(2) and 3161(h)(8)(B)(I).
4. The Government, through Special Assistant United States Attorneys, Reese Hayes, has no opposition to the granting of a continuance.

**WHEREFORE**, defendant respectfully requests that this Motion be granted and that this case be continued.

Dated this 12<sup>th</sup> day of October, 2007.

Respectfully submitted,

s/Jennifer A. Hart

**JENNIFER A. HART**

FEDERAL DEFENDERS

MIDDLE DISTRICT OF ALABAMA

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 12, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Reese Hayes, Esquire  
Special Assistant United States Attorney  
HQ AU/JA  
50 LeMay Plaza South  
Maxwell AFB AL 36112-6334

Respectfully submitted,

s/Jennifer A. Hart  
**JENNIFER A. HART**  
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